

**ENTERED**

September 29, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

LINDSAYCA USA, INC.,

Plaintiff.

VS.

PETROLEOS DE VENZUELA, S.A.,  
*et al.*,

Defendants.

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CIVIL ACTION NO. 4:21-CV-00037

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On June 23, 2022, Plaintiff Lindsayca USA, Inc.'s Motion for Default Judgment (Dkt. 38) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(B). *See* Dkt. 39. Judge Edison filed a Memorandum and Recommendation on August 22, 2022, recommending the motion be **GRANTED**. *See* Dkt. 42. No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).

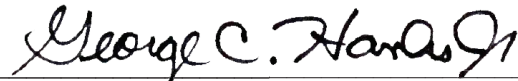
Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 42) is **APPROVED and ADOPTED** in its entirety as the holding of the Court; and
- (2) Plaintiff's Motion for Default Judgment (Dkt. 38) is **GRANTED**. As a result, the Clerk of Court shall first enter a default against Petroleos de Venezuela,

S.A. and Bariven, S.A. After that is done, I will enter a final judgment in favor of Lindsayca USA, Inc. and against Petroleos de Venezuela, S.A. and Bariven, S.A., jointly and severally, in the amount of \$7,794,454.03. Post-judgment interest will accrue at the statutory rate on the date judgment is entered.

It is so **ORDERED**.

SIGNED and ENTERED this 29th day of September 2022.

A handwritten signature in black ink, reading "George C. Hanks, Jr.", written over a horizontal line.

GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE